

1 Krista Hart  
2 Attorney at Law  
3 State Bar No. 199650  
4 428 J Street, #350  
5 Sacramento, CA 95818  
6 (916) 498-8398  
7 [kristahartesq@gmail.com](mailto:kristahartesq@gmail.com)

8 Attorney for  
9 Kenneth Knanishu

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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 KENNETH KNANISHU,  
14 Defendant.

Cr.S. 05-105 WBS

DEFENDANT'S REQUEST FOR  
EXTENSION OF TIME TO FILE  
REPLY BRIEF

16 Defendant KENNETH KNANISHU, by and through counsel Krista Hart, hereby  
17 requests an extension of time up to and including May 28, 2013, to file the Reply Brief.  
18 The request is based on the reasons set forth in counsel's declaration.

19 Mr. Knanishu pleaded guilty pursuant to a plea agreement and on October 15,  
20 2007, the Court sentenced Mr. Knanishu to 60 months in prison. (Docs 87 & 88) On  
21 October 1, 2012, Mr. Knanishu filed a motion pursuant to 28 U.S.C. § 2255. (Doc 94)  
22 The government filed its response on February 17, 2013. (Doc 104)

23 On March 26, 2013, the Court determined it would be appropriate to have counsel  
24 appointed to represent Mr. Knanishu and the Court appointed the undersigned on April 1,

1 2013. Pursuant to the Court's order of March 26, 2013 (Doc 105), the Reply Brief is  
2 currently due on April 25, 2013. Counsel needs additional time to research and prepare  
3 the reply brief.

4 I, KRISTA HART, declare that:

5 1. I am an attorney licensed to practice in the state of California and I am  
6 appointed to represent Mr. Knanishu in the case referenced above.

7 2. Since being appointed on April 1, 2013, I have obtained the transcripts of  
8 the Change of Plea hearing and the Judgment and Sentencing hearing in federal court. I  
9 have ordered a copy of the transcript of the Judgment and Sentencing hearing in state  
10 court, but that has not yet been made available.

11 3. I have communicated with Mr. Knanishu by mail, but I have more questions  
12 for him. This is a somewhat time consuming process. I am hoping to set up a confidential  
13 legal telephone call in the near future, but I want to do that *after* I have received and  
14 reviewed all the relevant transcripts.

15 4. I am requesting additional time to obtain the state court transcript, to  
16 discuss the issues with Mr. Knanishu and to prepare and file the Reply Brief.

17 5. I have exchanged emails with Assistant US Attorney Todd Leras and he has  
18 no objection to this request for an extension of time.

19 DATED: April 23, 2013

20 /s/ Krista Hart  
21 Seeking appointment for  
22 Kenneth Knanishu  
23  
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## **ORDER**

GOOD CAUSE APPEARING defendant's request for an extension of time to file the Reply Brief is granted. The Reply Brief is due on or before May 28, 2013.

DATE: April 23, 2013

William H. Shubbe

WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE